

Enrolled House Bill 2957

Sponsored by COMMITTEE ON RULES

CHAPTER

AN ACT

Relating to local elections; creating new provisions; amending ORS 203.085, 221.230 and 255.185; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 203.085 is amended to read:

203.085. (1) Except as provided in subsection [(2)] (3) of this section, no election on a county measure **referred by the county governing body** or for a county office shall be held on any date other than:

- (a) The second Tuesday in March;
- (b) The third Tuesday in May;
- (c) The third Tuesday in September; or
- (d) The first Tuesday after the first Monday in November.

(2) Except as provided in subsection (3) of this section, no election on a county measure other than a county measure referred by the county governing body shall be held on any date other than:

- (a) The third Tuesday in May; or**
- (b) The first Tuesday after the first Monday in November.**

[(2)] (3) An emergency election may be held on a date other than those provided in subsection (1) **or (2)** of this section[,] if the county governing body by resolution finds that an emergency exists that will require an election sooner than the next available election date to avoid extraordinary hardship to the community. A determination under this subsection as to whether an emergency exists is within the sole discretion of the county governing body.

[(3)] (4) A county governing body, with adequate notice, shall hold a public hearing, on a date other than a regularly scheduled meeting, for the purpose of making findings substantiating the fact that an emergency exists before scheduling an election on a date other than those specified in subsection (1) **or (2)** of this section.

[(4)] (5) Notice of a county's intent to hold an emergency election shall be filed with the county elections authority no later than 47 days preceding the desired election date. At the time the notice of election is given to the county elections authority, the county shall also file with the elections authority a certified copy of the ballot title and a copy of the resolution and findings adopted by the county governing body to authorize the emergency election as required under subsection [(3)] (4) of this section.

SECTION 2. ORS 221.230 is amended to read:

221.230. (1) Except as provided in subsection [(2)] (3) of this section, no election on a city measure **referred by the city governing body** or for a city office shall be held on any date other than:

- (a) The second Tuesday in March;
- (b) The third Tuesday in May;
- (c) The third Tuesday in September; or
- (d) The first Tuesday after the first Monday in November.

(2) Except as provided in subsection (3) of this section, no election on a city measure other than a city measure referred by the city governing body shall be held on any date other than:

- (a) The third Tuesday in May; or**
- (b) The first Tuesday after the first Monday in November.**

[(2)] (3) An emergency election may be held on a date other than those provided in subsection (1) or (2) of this section[,] if the city governing body by resolution finds that an emergency exists that will require an election sooner than the next available election date to avoid extraordinary hardship to the community. A determination under this subsection as to whether an emergency exists is within the sole discretion of the city governing body.

[(3)] (4) A city governing body, with adequate notice, shall hold a public hearing, on a date other than a regularly scheduled council meeting, for the purpose of making findings substantiating the fact that an emergency exists before scheduling an election on a date other than those specified in subsection (1) or (2) of this section.

[(4)] (5) Notice of a city's intent to hold an emergency election shall be filed with the county elections authority no later than 47 days preceding the desired election date. At the time the notice of election is given to the county elections authority, the city shall also file with the elections authority a certified copy of the ballot title and a copy of the resolution and findings adopted by the city governing body to authorize the emergency election as required under subsection [(3)] (4) of this section.

SECTION 3. ORS 255.185 is amended to read:

255.185. (1) In a district that holds regular district elections, if an initiative or referendum petition contains the required number of verified signatures, the election on the district measure shall be held on [*a district election date specified by the district elections authority in the order calling the election*] **the third Tuesday in May, the first Tuesday after the first Monday in November or the date of the next scheduled regular district election.** The election date may not be sooner than the next available date [*in ORS 255.345*] **listed in this subsection** for which the filing deadline may be met and may not be later than the first regular district election following the 40th day after the date of the order **calling the election.**

(2) In a district that does not hold regular district elections, if an initiative or referendum petition contains the required number of verified signatures, the election on the district measure shall be held [*on*] **at the next available [*district election date in ORS 255.345*] date listed in subsection (1) of this section** for which the filing deadline may be met.

SECTION 4. The amendments to ORS 203.085, 221.230 and 255.185 by sections 1 to 3 of this 2015 Act first apply to any measure for which a petition has been certified to contain the required number of verified signatures on or after the effective date of this 2015 Act.

SECTION 5. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by House March 25, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate April 15, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State